

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2004 - 0005

RESOLUTION ADOPTING REGULATIONS THAT REQUIRE
CERTIFICATION FOR UNDERGROUND STORAGE TANK
OPERATORS, INSTALLERS, SERVICE TECHNICIANS, AND INSPECTORS.

WHEREAS:

1. Underground tanks used for the storage of hazardous substances and wastes are potential sources of contamination of the ground and underlying aquifers, and may pose other dangers to public health and the environment.
2. The State Water Resources Control Board (SWRCB) administers the Underground Storage Tank (UST) Program, and local agencies implement the program through UST permitting and enforcement.
3. In October 1999, the Legislature amended Chapter 6.7 by enacting Senate Bill 989 (Stats. 1999, ch. 812), which directed the SWRCB to adopt regulations requiring UST owners, operators, service technicians, installers, and inspectors to meet minimum industry-established training standards
4. Health and Safety Code Section 25299.33 of Chapter 6.7 authorizes the SWRCB to adopt regulations to implement Chapter 6.7.
5. On March 7, 2003 the SWRCB published a notice of proposed rulemaking to implement, interpret, and clarify the recent amendments to Chapter 6.7. On April 28, 2003, the SWRCB held a public hearing regarding the proposed regulations.
6. The SWRCB received several written and/or oral comments. Based on the accepted comments and on SWRCB-initiated changes, the SWRCB revised the proposed regulations and sent them to commenters for further comments. Additional comments were received during the 15-day comment period. Based on the accepted comments and SWRCB-initiated changes, the SWRCB revised the proposed regulations and once again sent them to commenters. Although additional comments were received during the last 15-day comment period, the SWRCB rejected all of these comments and no further revisions were made to the proposed regulations.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board adopts the proposed Underground Storage Tank regulations to implement, interpret, and make specific Chapter 6.7 of Division 20 of the Health and Safety Code, which will become effective as provided by the California Administrative Procedures Act upon approval by the Office of Administrative Law and filing with the Secretary of State, and directs the Executive Director to submit the regulations to the Office of Administrative Law for approval.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on February 19, 2004.


Debbie Irvin
Clerk to the Board